

U.S.A.N. 10/825,156

Attorney Docket No. 74622-060

REMARKS

Applicants respectfully request favorable reconsideration of the above-captioned application.

In this Amendment, claims 1-40 have been cancelled without prejudice and claims 41-81 have been substituted therefore. Claims 41 and 62 are independent.

In the Office Action, claims 13-19 and 21-40 were variously rejected under 35 U.S.C. 112, second paragraph, as being indefinite. As shown above, all prior claims 1-40 have been canceled without prejudice, rendering these rejections moot. Applicants have drafted the new claims 41-81 to avoid the language problems noted in the Office Action. Applicants further note that examples of the "Investor/Goal Manager" screen and the "Profile Asset Allocation" screen are respectively illustrated in Figs. 4 and 8, and therefore are supported for claim purposes.

In the Office Action, Claims 1, 2, 5, 6, 8, 9, 12, 22, 23, 26, 27, 29, 32 and 33 were rejected as being anticipated by U.S. Patent 5,918,217 (Maggioncalda et al.). Claims 7 and 28 were rejected as being obvious over Maggioncalda et al. Claims 3, 4, 10, 11, 13-21, 24, 25, 30, 31 and 34-40 were rejected as being obvious over Maggioncalda et al. in view of, U.S. Patent 6,430,542 (Moran).

Applicants have canceled claims 1-40, rendering these rejections moot. Applicants respectfully submit that new independent claims 41 and 62, which are corresponding system and method claims, are patentably distinct from the cited prior art for the following reasons.

The present invention as defined in new independent claim 41 emphasizes the patentable distinctions of the present invention over the cited prior art. Thus, claim 41 is directed to a system configured to identify financial investment advice regarding investments of an investor in an investment portfolio associated with a designated goal, the investment advice being based, at

U.S.A.N. 10/825,156

Attorney Docket No. 74622-060

least in part, on the investor's risk tolerance and on investment profile data provided by a user of the system. The system comprises a front-end including a plurality of graphical user interfaces configured to receive the user's identification of the investor's risk tolerance and the investment profile data, and a back-end configured to, at the direction of the user via the front end, identify one or more recommended investments and an allocation of funds among those investments, based on the investor's risk tolerance and the investment profile data, a time horizon and a type of the designated goal.

In accordance with advantageous aspects of the present invention, claim 41 further recites that the back-end identifies the investor and at least one investor account from the investment profile data, that the back-end quantifies the designated goal from at least one response to at least one goal question presented to the user by the front-end, that the back-end quantifies the investor's risk tolerance from at least one response to at least one risk tolerance question presented to the user by the front-end, and that the back-end creates a risk allocation of the at least one investor account among a plurality of investments that satisfies the investor's risk tolerance.

Claim 41 further recites that the front-end displays on a graphical user interface a current allocation of the at least one investor account among the plurality of investments, the risk allocation of the at least one investor account among the plurality of investments, a target allocation of the at least one investor account among the plurality of investments and the designated goal, wherein the target allocation is an allocation of the at least one investor account among the plurality of investments chosen by the user.

Support for claim 41 may be found in the specification, for example, in paragraph [0115] of the original specification and in Figures 11, 13 and 14.

U.S.A.N. 10/825,156

Attorney Docket No. 74622-060

This combination of specific information input by the user in connection with the investor and the designated goal enables personalized and efficient processing of data to provide appropriate financial advice as defined by the current allocation, the risk allocation, the target allocation and the designated goal displayed at the front end.

Applicants have found no teaching or suggestion of the combination of features recited in claim 41 in the cited prior art. More specifically, Applicants submit that the primary reference to *Maggioncalda et al.* and the secondary reference to *Moran*, taken individually or in combination, fail to teach or suggest the combination of input information and output display as now more clearly recited in new claim 41. Applicants have reviewed the remaining prior art of record and have found nothing therein that would remedy the deficiencies of *Maggioncalda et al.* and *Moran* as references against new claim 41.

Accordingly, Applicants respectfully submit that new independent claim 41, together with the claims dependent thereon, is patentably distinct from the cited prior art.

The present invention as defined in new independent claim 62 is directed to a method corresponding to the system of claim 41 and includes corresponding distinguishing recitations. Accordingly, Applicants respectfully submit that new independent claim 62, together with the claims dependent thereon, is patentably distinct from the cited prior art.

In view of the above amendments and remarks, Applicants respectfully submit that claims 41-81 are patentably distinct from the prior art of record. The Examiner is respectfully requested to pass this case to issue.

If any fee is due for this filing, please charge the LARGE ENTITY fee therefor to Deposit Account No. 16-2500 of the undersigned.

U.S.A.N. 10/825,156

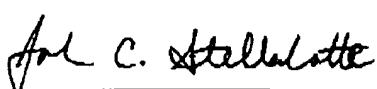
Attorney Docket No. 74622-060

Applicants' undersigned attorney may be reached by telephone at (212) 969-3000 or by facsimile at (212) 969-2900. Please direct all correspondence to Customer No. 21890 at the address provided below.

Respectfully submitted
PROSKAUER ROSE LLP
Attorneys for Applicants

Date: October 6, 2005

By _____



John C. Stellabotte
Reg. No. 47,969

PROSKAUER ROSE LLP
1585 Broadway
New York, NY 10036

Tel: (212) 969-3000